

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL ANDREW KITCHEN,	)	
PLAINTIFF,	)	
	)	No. 1:16-CV-190
-v-	)	
	)	HONORABLE PAUL L. MALONEY
ANTHONY CROLL, ET AL.,	)	
DEFENDANTS.	)	
_____	)	

**ORDER**

On January 21, 2019 United States Magistrate Judge Phillip J. Green issued a Report and Recommendation, recommending that the motion for summary judgment by Defendants Slusher, Croll, and Byrne be granted.

No objections to the Report and Recommendation were filed within fourteen days, as required by the pertinent authority. *See* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72; W.D. Mich. LCivR 72.3. Accordingly, the Court **ADOPTS** the Report and Recommendation as the Opinion of the Court. Defendants' motion for summary judgment (ECF No. 245) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff's motion to certify an interlocutory appeal (ECF No. 218) under 28 U.S.C. § 1292(b) is **DISMISSED AS MOOT**.

**JUDGMENT TO FOLLOW.**

**Date:** February 20, 2019

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge